Attorney Docket: 02301 CON 2

RECEIVED U.S. Application No. 10/717,892 Examiner Desir Art Unit 2617

Response to January 28, 2008 Final Office Action

APR 25 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Koch, Robert A.

Group Art Unit: 2687

Application No. 10/717,892

Examiner: Desir

Filed: 20 November 2003

Attorney Docket: 02301 CON 2

Title: "System & Method for Providing Usage Monitoring Telephony Services"

SUBMISSION OF TERMINAL DISCLAIMER

Claims 1-3 and 5-19 were rejected for obvious-type double patenting over the claims of U.S. Patent 7,127,051 (Attorney Docket 02145). The Assignee submits the following terminal disclaimer to advance this case to issuance.

- 1. The Assignee hereby disclaims any term that extends beyond twenty (20) years from the earliest filing date.
- 2. The Assignee, now doing business as AT&T Delaware Intellectual Property, Inc., is the owner of the entire interest (100%) in U.S. Application 10/717,892 and in U.S. Patent 7,127,051.
- 3. The required 37 C.F.R. § 1.20 (d) fee of \$130 is included herewith.
- 4. This terminal disclaimer is signed by the attorney of record, Scott P. Zimmerman.
- 5. Any patent that grants from this application (U.S. Application No. 10/717,892) shall be enforceable only for and during such period that said patent is commonly owned with U.S. Patent 7,127,051 that forms the basis for this obviousness-type double patenting rejection.

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If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or <u>scott@scottzimmerman.com</u>.

Respectfully submitted,

Scott P. Zimmerman Attorney for the Assignee Reg. No. 41,390